

Senate Public Safety and Homeland Security Committee

2006 Rules

1. Quorum of the Committee shall be Five (5) members.
2. The Chairman shall determine which bills and resolutions are to be considered and the order in which said measures are considered; the Chairman shall have the authority to call a bill, resolution, substitute, or amendment for debate and explanation only.
3. The Chairman shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittees in turn shall have the authority to make recommendations on such measures to the full committee at such time as shall be designated by the Chairman.
4. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
5. The Chairman reserves the right to delay action on substitutes and amendments not provided to the Chairman at least 24 hours prior to hearing.
6. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report in writing, setting forth concise reasons for their dissent.
7. These rules may be amended upon a motion duly made and subsequently approved by a quorum of the Committee, in a meeting called by the Chairman.
8. A bill, resolution, or other matter will be considered only after presentation by its principal author or a legislator whom he or she designates to do so. In the event that more than one member of the General Assembly has signed a measure, the principle author shall be the one whose name appeared first in the list of authors.
9. When these rules are silent on a specific issue, the Rules of the Senate, as adopted, shall govern.

MEMBERS OF THE SENATE PUBLIC SAFETY AND HOMELAND SECURITY
2005 - 2006 SESSION

Senator Brian Kemp
Chairman
District #46
P. O. Box 5187
Athens, GA 30604
Phone: 706-543-0188
324LOB; 404-463-1366

Senator Jeff Mullis
Vice Chairman
District #53
519 Cove Road
Chickamauga, GA 30707
Phone: 706-375-4921
121CAP; 404-656-0057

Senator Jeff Chapman
Secretary
District #3
P. O. Box 3119
Brunswick, GA 31521
Phone: 912-280-0456
327LOB; 404-463-1322

Senator Gloria Butler
District #55
6241 Southland Trace
Stone Mountain, GA 30087
421CAP; 404-656-0075

Senator Joseph Carter
District #13
P. O. Box 7271
Tifton, GA 31793
Phone: 229-382-0707
LOB304; 404-463-1363

Senator Steen Miles

District #43
P. O. Box 360961
Decatur, GA 30036
Phone: 770-981-6769
325LOB;

Senator Valencia Seay
District #34
823 Verde Drive
Riverdale, GA 30274
Phone: 404-
325LOB; 404-656-5095

Senator Russ Tolleson
District #20
P. O. Box 1356
Perry, GA 31069
Phone: 478-746-6262
110CAP; 404-463-8056

Minutes of the Senate Public Safety and Homeland Security Committee
January 10, 2006

The Senate Public Safety and Homeland Security Committee met on Tuesday, January 10, 2006 in the CLOB 307. Senator Kemp, the Chairman, called the meeting to order at 2:00 p.m.

Present were Senators Kemp 46th, Mullis 53rd, Carter, 13th, Miles 43rd, Seay 34th, and Tolleson 20th.

Senator Carter introduced some officers who participated in a car chase that extended through Waycross, Ware County and Tift County.

Senator Chapman arrived at 2:13 p.m.

The GA State Patrol showed a video of the high-speed chase and said they were able to make apprehension without injury.

Senator Seay left at 2:20 p.m.

Commissioner Greg Dozier from the Department of Driver Services spoke about the changes since the new Department was established. He talked about the “once” 16 week wait for a test for license, now is down to 7 weeks and some locations have NO waits. Some offices are now open from 7:30 a.m. – 5:00 p.m.

Commissioner Dozier said that renewals by phone, mail and email are now up to 500,000. There are talks of a new system to help with “lost licenses” that will also eliminate the long lines at centers.

Colonel Hitchins with the Public Safety Department said that the General Assembly gave them funds for 2 schools to train new state patrol officers last year. They developed the schools, had over 300 who passed the tests, then dropped down to 100, and then to 25. He said that they might have 50 new officers in a few weeks. He said it is very discouraging to the Department and he believes it is due to low pay and poor benefits. They only have 767 state patrol officers and they budgeted for 900.

Colonel Hitchins said that officers leave for other state and federal agencies that can provide more than the Department of Public Safety.

Senator Tolleson left at 2:55 p.m.

Vernon Keenan, Director of GBI talked about Hurricane Katrina and about how they

responded to their needs. They sent 200 officers. Mississippi contacted them and they sent 20 body recovery agents. Two thousand children were unaccounted for and they helped locate them.

Senator Miles left at 3:05 p.m.

He talked about the Crime Labs and said that he hopes the backlog will be cleared up by July 2006. They were funded for more scientists and they do not plan to “outsource” any more cases. One of the places they “outsourced” too was New Orleans, and they could not operate for over a month—due to the power outages.

Mike Sherberger, Director of Homeland Security said that because of all of the different agencies that assisted with Hurricane Katrina, the state would receive thousands of dollars.

Meeting adjourned at 3:10 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Senate Public Safety and Homeland Security Committee
February 1, 2006

The Senate Public Safety and Homeland Security Committee met on Wednesday, February 1, 2006 in the CLOB 307. Senator Kemp, the Chairman called the meeting to order at 4:35 p.m.

Present were Senators Kemp 46th, Mullis 53rd, Chapman 3rd, Butler 55th, Carter 13th, Miles 43rd, and Tolleson 20th.

SB 64 (Sen. Douglas, 17th) Substitute-- Law Enforcement Vehicles; blue lights on roof; enforce requirement

Senator Douglas explained his bill and said that the lights will enhance safety by displaying visible markings of law enforcement vehicles. He said the lights would cut the cost by about \$700 per vehicle.

Colonel Hitchins with the Department of Public Safety, and Frank Rotonda, Executive Director of the Georgia Association of Chiefs of Police, spoke in favor of the bill.

After several questions from the Committee, Senator Kemp said that he wanted to hold the bill until the next meeting.

SB 381 (Sen. Harp, 29th) State Flags; qualifying public safety officers killed in the line of duty; honor service

Senator Harp could not attend the meeting and Senator Mullis presented the bill. He said that this legislation requires the Secretary of State to furnish, without cost, a state flag to honor the service of a deceased qualifying public safety officer. It can be displayed at the funeral and be given to the officer's estate.

After some discussion, Senator Seay made a motion to amend SB 381 with the language on page 1, line 15 after shall, insert "if requested".

Senator Mullis seconded the motion. The amendment passed with a vote of 6 – 2 with Senators Butler and Miles voting nay.

Senator Kemp asked for a motion and Senator Tolleson made a motion that **SB 381 do pass as amended**. Senator Carter seconded the motion and SB 381 passed with a vote of 6 – 2 with Senators Butler and Miles voting nay.

SB 373 (Sen. Douglas, 17th) License, Honorary; veterans; provide for un-remarried surviving spouse or child of deceased military persons; conditions

Senator Douglas presented his bill and said it was a way of showing appreciation and support for the surviving spouses of service members and it would provide a free drivers license as long as they remained single.

Senator Mullis made a motion that **SB 373 do pass**. Senator Tolleson seconded the motion and SB 373 passed unanimously.

SB 400 (Sen. Tolleson, 20th) Motor Vehicles; law enforcement agencies; use of properly equipped all-terrain vehicles

Senator Tolleson presented his bill and said that some law enforcement officers would like to use all-terrain vehicles on public roads. He said it allows them more mobility in crowded areas so that they can move freely in and out of traffic.

Senator Carter made a motion that **SB 400 do pass**. Senator Mullis seconded the motion and SB 400 passed with a vote of 5 – 2 with Senator Miles voting nay and Senator Butler abstaining.

Meeting adjourned at 5:27 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
February 8, 2006

The Senate Public Safety and Homeland Security Committee met on Wednesday, February 8, 2006 in the CLOB 307. Senator Kemp, the Chairman, called the meeting to order at 1:35 p.m.

Present were Senators Kemp 46th, Mullis 53rd, Chapman 3rd, Butler 55th, Carter 13th, Miles 43rd, Seay 34th, and Tolleson 20th.

SB 520 (Sen. Johnson, 1st) Public Safety, Board of; authorize to provide badge/revolver to sworn officers; uniforms/equipment; Uniform Division; change provisions

Senator Johnson said that this gives the Commissioner permission to provide a badge, uniform and revolver to retirees. It would cost approximately \$400 a year.

Captain Hitchins from the Department of Public Safety, spoke in favor the bill.

David Stone, Vice President of the Fraternal Order of Police spoke in favor the bill. He said that the bill refers to revolvers on lines 3 and 18 and they would ask that it be changed to “duty weapon”.

Senator Johnson said that he would agree with the change.

Senator Tolleson made a motion to strike “revolver” on line 3 and 18 and insert “duty weapon”. Senator Mullis seconded the motion. Senator Kemp asked for a show of hands and the amendment passed unanimously.

Senator Kemp asked for a motion on SB 520. Senator Mullis made a motion that **SB 520 do pass as amended**. Senator Miles seconded the motion and SB 520 passed unanimously.

SB 64 (Sen. Douglas, 17th) Substitute -- Law Enforcement Motor Vehicles; blue lights on roof; enforce requirement

Senator Douglas spoke to the bill and explained the substitute. He said it allows for slick top law enforcement vehicles if the vehicles have the “illuminated agency identifier”. They can have slick top vehicles if they have the windshield illuminator and the blue lights meet Georgia State Patrol standard.

Senate Tolleson made a motion that **SB 64 do pass by substitute**. Senator Mullis seconded the motion and SB 64 passed unanimously.

SB 370 (Sen. Goggans, 7th) -- License Plate, Special; promote agriculture in Georgia; provide for issuance, renewals, fees, donation of revenue

Senator Goggans explained his bill and said that agriculture is the oldest and largest industry in the state and it plays a vital roll in families and in the economy. Economy has over \$550 billion dollars and the agriculture and agri-business account for \$50 billion of that. He said that they want to make sure that agri-business, agriculture and agriculture education is emphasized with a prestige license plate. Valdosta State gave this project to the Governor's Honors students and they came up with the tag design.

Senator Goggans said that it would be a Constitutional Amendment so that the funds would be split between the 4H and FFA programs and they would compete for grants for educational funds.

He explained that the Constitutional Amendment was needed so that the funds would be directed to a specific fund, and not a general fund.

Senator Carter made a motion that **SB 370 do pass**. Senator Tolleson seconded the motion and Senator Kemp asked for a show of hands. SB 370 passed unanimously.

HB 1052 (Rep. Murphy, 23rd) - Motor vehicles; distinguishable transporter license plate; provisions

Representative Murphy could not attend the meeting, but Senator Kemp explained the bill.

Mario Strollo from Manheim Auctions spoke in favor of the bill and presented some of the details of the bill.

Senator Mullis made a motion that **HB 1052 do pass**. Senator Carter seconded the motion and HB 1052 passed unanimously.

SB 502 (Sen. Hamrick, 30th) Motor Vehicles; operating while under the influence; comprehensive revision; modernization; reform laws of state

Senator Hamrick introduced Bob Dallas with the Governor's Office of Highway Safety and Chuck Spahos the Solicitor General from Henry County to help present the bill.

He said prosecutors, the law enforcement and the Governor's Office of Highway Safety have been working on a comprehensive rewrite of Georgia's DUI law. He said that a lot of work was done on this bill.

Senator Mullis left at 2:00 p.m. and returned at 2:01 p.m.

Senator Hamrick said the idea was to bring to life the revisions of the Georgia Code that were scattered throughout the code section. He said it was needed to clear up and correct some technicalities that had made for some very difficult situations.

Senator Hamrick said it was more difficult to try DUI cases than it was to try murder cases.

Those supporting this bill are:

Georgia State Patrol

M.A.D.D.

DeKalb County District Attorney

Governor's Office of Highway Safety

Gary Jackson- Atlanta Municipal Judge

Department of Public Safety

Opposing the bill:

Mike Hawkins-Atlanta Defense Attorney

Sandra Michaels -Georgia Association of Criminal Defense Lawyers

Senator Tolleson left at 2:50 p.m. and returned at 2:53 p.m.

Senator Chapman left at 2:57 p.m. and returned at 2:58 p.m.

Senator Kemp said that he was concerned about some of the testimony that was presented to the Committee and did not want to rush on this bill. He said he would like to get some more information before a vote was taken on the bill.

Senator Hamrick said that someone would always have a problem with some of the bill and that not everyone would be in complete agreement.

Senator Kemp said that he wanted everyone to be comfortable and that the bill would be on the agenda for the next meeting.

Meeting adjourned at 3:07 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
February 14, 2006

The Senate Public Safety and Homeland Security Committee met on Wednesday, February 14, 2006 in CLOB 307. Senator Kemp, the Chairman, called the meeting to order at 2:36 p.m.

Present were Senators Kemp 46th, Butler 55th, Carter 13th, Seay 34th, and Tolleson 20th.

SB 489 (Sen. Balfour, 9th)—Drivers' Licenses; require certain specified new drivers to display a new driver bumper decal

Senator Balfour said that this legislation requires all Class D drivers' license holders to prominently display (on any vehicle driven by such license holder) a magnetic bumper decal, approved by the Department of Driver Services, and displaying "New Driver." The Department will list in the restrictions section of every class D license the designation "new driver decal."

Senator Chapman and Senator Mullis arrived at 2:45 p.m.

Senator Balfour said that the Department of Driver Services requested that the effective date be changed from January to July.

Senator Carter made a motion to amend SB 489 to change the effective date from January 2007 to July 2007. Senator Mullis seconded the motion. The amendment passed unanimously.

Senator Carter made a motion that **SB 489 do pass as amended** and Senator Mullis seconded the motion. SB 489 passed with a vote of 5 – 1 with Senator Chapman voting nay.

SB 485 (Sen. Balfour, 9th)—Rules of road; persons convicted of speeding violations; display habitual speeder bumper sticker; condition of probation

Senator Balfour said that this legislation is similar to SB 489; however, the legislation mandates that habitual speeders with tickets greater than, or equal to 3, within 5 years display a bumper sticker on the offenders' motor vehicles.

Senator Balfour said that the Department of Driver Services requested that he make a change in Section 1, lines 25 and 26 of page 1, inserting "by this subsection may, with the discretion of the sentencing court, be suspended for 90 days."

Judge Gary Jackson with the Atlanta Municipal Court spoke in favor of the bill.

After some discussion, Senator Kemp asked for a motion to amend SB 485. Senator Carter made a motion that SB 485 be amended and Senator Mullis seconded the motion. The motion passed unanimously.

Senator Carter made a motion that [**SB 485**](#) **do pass as amended**. Senator Mullis seconded the motion and the bill pass with a vote of 4 – 2 with Senators Butler and Chapman voting nay.

Senator Balfour said that he requests the Committee hold his SB 490 until a later date.

[**SB 462**](#) (Sen. Carter, 13th)—**Sheriffs; authority of courthouse security; remove courthouses/hails from list of properties protected**

Senator Carter presented his bill and said that meetings had been held around the state. He said testimony had been heard by sheriffs, county commissioners, law enforcement officials, clerks of courts, and security experts. He said it was very informative to hear their thoughts and comments.

It requires the sheriff of each county to develop and implement a competent security plan for the courthouse and any annex buildings. He said that once the plan is prepared, that it be submitted to the Chief Superior Court Judge of the circuit where the buildings are located, and the judge would have authority to incorporate it into a court order. Senator Carter said that under section 2 of the bill, it clarifies that the sheriffs are the primary law enforcement officials for security when it comes to courthouses and county buildings.

Senator Kemp said that the Senate Appropriations Committee did vote out the 2006 amended budget and it included \$500,000 to help with the security grants that will help speed up the process.

Terry Norris with the Georgia Sheriff's Association spoke in favor of this bill. He said that the sheriffs are excited about taking over the security for courthouses.

Rusty Simpson, Council of Superior Court Judges, spoke in favor the bill. He said it is consistent with the current law. He said this bill is flexible enough to deal with all of the different situations in all of the counties in the state.

Kim Kimbrough with Association of County Commissioners spoke in favor of the legislation.

After some discussion, Senator Mullis made a motion that [**SB 462**](#) **do pass**. Senator Seay seconded the motion and SB 462 passed unanimously.

SB 502 (Sen. Hamrick, 30th) Motor Vehicles; operating while under the influence; comprehensive revision; modernization; reform laws of state

Those speaking against the bill:

Mike Hawkins, Atlanta Defense Attorney
Sandra Michaels, GA Association of Criminal Defense Lawyers
Bob Chestney, Civil and Criminal Attorney
Gus McDonald, Criminal Defense Attorney
Jessica Towne, Attorney from Gwinnett

Those speaking for the bill:

DeKalb County District Attorney
Department of Public Safety
Gary Jackson—Atlanta Municipal Judge
Georgia State Patrol
Governor's Office of Highway Safety
M.A.D.D.

Senator Hamrick introduced Irene Munn, from the Douglas County District Attorney's office, to explain the changes that were made to the substitute.

Senator Mullis made a motion that **SB 502 do pass by substitute**. Senator Tolleson seconded the motion and SB 502 passed with a vote of 3 – 2 with Senators Seay and Butler voting nay.

The meeting adjourned at 4:00 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
February 16, 2006

The Senate Public Safety and Homeland Security Committee met on Wednesday, February 16, 2006 in CAP 123. Senator Kemp, the Chairman, called the meeting to order at 2:00 p.m.

Present were Senators Kemp 46th, Butler 55th, Carter 13th, Seay 34th, and Tolleson 20th.

SB 454 (Sen. Douglas, 17th) Law Enforcement Vehicles; require patrol vehicle markings for Georgia State Patrol

Senator Douglas presented his bill and explained that it was a housekeeping bill for the State Patrol.

Senator Seay made a motion that **SB 454 do pass**. Senator Tolleson seconded the motion and SB 454 passed unanimously.

SB 481 (Sen. Stephens, 27th) Motor Vehicles; registration/licensing; permit military personnel; minimum motor vehicles liability insurance through purchase in other states

Senator Douglas presented the bill for Senator Stephens.

This bill allows Georgia soldiers, who are on active duty, but assigned to another state, to retain their registration and license plates for their vehicle as long as they continue the insurance coverage as allowed by law.

Senator Miles arrived at 2:10 p.m.

Senator Tolleson made a motion that **SB 481 do pass**. Senator Carter seconded the motion and SB 481 passed unanimously.

Senator Mullis arrived at 2:12 p.m.

Senator Kemp said that Senator Harbison was not able to attend the meeting and his bill will be heard at another time.

SB 532 (Sen. Whitehead, 24th)—United States Nuclear Regulatory Commission; enhance the protection of licensed facilities

Senator Whitehead introduced Ms. Carrie Phillips, the Public Affairs Director of the Georgia Power Nuclear Plants. He said this bill is about security at our nuclear plants.

Senator Tolleson left at 2:30 p.m. and returned at 2:32 p.m.

After some discussion, Senator Kemp said that the Committee would have another meeting on this bill next week.

Meeting adjourned at 2:45 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
February 21, 2006

The Senate Public Safety and Homeland Security Committee met on Tuesday, February 21, 2006 in the CLOB 307. Senator Kemp, the Chairman, called the meeting to order at 10:05 a.m.

Present were Senators Kemp 46th, Mullis 53rd, Chapman 3rd, Carter 13th, Seay 34th, and Tolleson 20th.

SB 532 (Whitehead, 24th)—Substitute -- United States Nuclear Regulatory Commission; enhance the protection of licensed facilities

Senator Whitehead explained his substitute and presented it to the Committee. He said that the GA Sheriffs Association supported this bill.

He said the Committee suggested some changes and he made those. He introduced Drew Wooldridge with Troutman Sanders who represents Georgia Power, to explain the changes he would like to make in the new substitute.

He said they would like to change the language to "having jurisdiction over the facility" on page 2 line 8, page 3 line 4 and line 15 and page 4 line 6. Also, to add the language "officer employed by a federally licensed nuclear power facility" on line 32 on page 2.

Senator Kemp asked for a motion to makes these changes in the bill. Senator Carter made a motion to amend the changes to the substitute and Senator Seay seconded the motion.

Senator Carter then made a motion that **SB 532 do pass by substitute**. Senator Mullis seconded the motion and SB 532 passed unanimously.

HB 1032 (Rep. Lunsford, 110th) Licenses to carry pistol or revolver; temporary renewal permit; provide for restrictions

Representative Lunsford could not attend so Senator Kemp presented his bill. He said this bill is for applications for handgun licenses and renewals and it moves Georgia in line with the federal regulations.

Alice Johnson, Director of Georgians for Gun Safety spoke in favor of this bill. She said the following organizations are also in favor of this bill:

NRA

FBI

GBI

ATF

GA Coalition Against Domestic Violence

She said they had looked at the legislation carefully and it will bring Georgia up to federal code. It says that those who receive a concealed weapon permit in Georgia will not be able to use the permit as an exception from receiving a background check when they purchase a weapon.

Senator Kemp said that the bill passed the House, 165 – 1.

Senator Chapman made a motion that [HB 1032](#) **do pass**. Senator Mullis seconded the motion and HB 1032 passed unanimously.

Meeting adjourned at 10:30 a.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
February 28, 2006

The Senate Public Safety and Homeland Security Committee met on Tuesday, February 28, 2006 in the CLOB 307. Senator Kemp, the Chairman, called the meeting to order at 3:35 p.m.

Present were Senators Kemp 46th, Mullis 53rd, Chapman 3rd, Carter 13th, and Seay 34th.

SR 1025 (Sen. Kemp, 46th) CA: License Plates; specially designed; provide for dedication of certain revenue; support/promote equine industry

Senator Kemp presented his bill and said that it is a Constitutional Amendment to promote a specialty license tag, a “horse tag” to help promote the Equine Industry. He has SB 380 is basically setting up a commodity commission to support equine and the way to support it in the state, is the horse owners buying the license plate.

Senator Miles arrived at 3:36 p.m.

Senator Mullis made a motion that **SR 1025 do pass**. Senator Carter seconded the motion and SR 1025 passed unanimously.

SB 529 (Sen. Rogers, 21st) Substitute-- Georgia Security/Immigration Compliance Act; persons who are not lawfully present in the U.S.; comprehensive regulation

Senator Kemp said that he appreciated all of the hard work and time that went into this bill. He said that he appreciated all of the testimony that was given in the two public hearings.

Senator Butler arrived at 3:45 p.m.

He introduced Senator Rogers to speak to the substitute for the bill.

Senator Rogers said that he wanted to thank the Committee for their patience during this important piece of legislation.

He said that he would explain the new changes that he would like to add to this substitute.

He said that on page 2 line 14 after the word security “to verify information of newly hired employees” this is just a point of clarification that was brought up by the contracting industry.

On page 5, line 21, 28 and 29 in working with law enforcement and others who are concerned about this section, provision now reads “when any new person is confined on a felony charge in the jail” , lines 28, and 29 the new wording is “verification shall be made within 48 hours”.

Section 6, he said that Senator Zamarripa worked with him on this one. It would crack down on people who obtain legal services. It creates a framework within Secretary of State, which will provide oversight for anyone officially representing someone’s immigration status. It will increase a penalty structure and require anyone alleged to provide services related to immigration, that they have no legal authority. It provides a licensing mechanism under the Secretary of State.

Section 5, verifying nationality, law enforcement should obtain the nationality when arrested. Law enforcement should contact appropriate consulate.

Page 11, line 14 subsection (2), all of that is federal law but new to this code section.

Senator Rogers also passed out to the Committee some minor technical changes that were brought to him by the Prosecuting Attorney’s Council.

Senator Tolleson arrived at 3:54 p.m.

The changes are as follows:

Page 2 line 22, after words ‘contract for the’ add “physical”

Page 4 line 7 after “any” add “sexually explicit conduct as defined in paragraph (4) of subsection (a) of Code Section 16-12-100” remove words “sex act”

Page 4 line 8 after “which” add “conduct” and remove the word “act”

Page 4 line 9 after “deception” add “or which conduct is induced or obtained from a person under the age of 18 years;”

Page 4 line 12 after “deception” add “or which conduct is induced or obtained from a person under the age of 18 years;”

Page 5 line 7 after “offense” add “and shall not merge with any other offense.”

Page 7 line 16 after ‘public’ add “commissioned in the state of Georgia and who is”

Page 12 insert between lines 31 & 32, “Notwithstanding subsection (f) of this Code section

any applicant for federal benefits as defined in 8 U.S.C. section 1611 or state or local benefits as defined in 8 U.S.C. section 1621 shall not be guilty of any crime for executing an affidavit attesting to lawful presence in the United States that contains a false statement if said affidavit is not required by this Code section.

Senator Mullis made a motion to accept the changes to the substitute and Senator Carter seconded the motion.

Senator Mullis then made a motion that **SB 529 do pass by substitute** and Senator Carter seconded the motion. SB 529 passed with a vote of 5 – 2 with Senators Butler and Miles voting nay.

SB 581 (Mullis, 53rd) Georgia Public Safety Training Center; emergency medical personnel; provide training; change certain provisions

Senator Mullis presented his bill.

Senator Carter made a motion that **SB 581 do pass.** Senator Seay seconded the motion and SB 581 passed unanimously.

Senator Kemp said that Senator Carter wanted him to hold **SB 570** until another time.

Meeting adjourned at 4:00 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
March 2, 2006

The Senate Public Safety and Homeland Security Committee met on Thursday, March 2, 2006 in the CLOB 307. Senator Kemp, the Chairman, called the meeting to order at 3:40 p.m.

Present were Senators Kemp 46th, Mullis 53rd, Chapman 3rd, Carter 13th, Miles 43rd, Seay 34th and Tolleson 20th.

SB 495 (Sen. Mullis, 53rd) Fire Hazards; increase in fees/charges; provide fee for blaster certification cards; require license prior to blast hole drilling

Senator Mullis presented his bill and Senator Tolleson made a motion that **SB 495 do pass**. Senator Chapman seconded the motion and SB 495 passed unanimously.

SB 570 (Sen. Carter, 13th) Motor Vehicles; windshields; reduce light transmission/increase light reflectance; authorize certified optometrist to provide attestation

Senator Carter said that the current law allows individuals (who are required for medical reasons) to be shielded from direct sunlight to be exempt from the provisions of the automobile tinting law. This legislation allows optometrists to make such a written confirmation.

Senator Seay made a motion that **SB 570 do pass**. Senator Miles seconded the motion and the SB 570 passed unanimously.

SB 606 (Sen. Douglas, 17th) Funerals; prohibit disruptive conduct; elements of such offense; provide criminal penalty

Camille Brown-Smith spoke about her brother who is serving in Iraq and gave the Committee an email that he had received. It was about his friend who died in the war and the protest that took place at his funeral.

Darryl Robinson from the Attorney General's office spoke in favor of this bill.

Maggie Garrett with the ACLU spoke against the bill.

Senator Tolleson made a motion that **SB 606 do pass**. Senator Mullis seconded the motion and SB 606 passed with a vote of 4 – 3 with Senators Butler, Miles and Seay voting nay.

Senator Tolleson requested that [SB 619](#) be heard at another time.

Meeting adjourned at 4:30 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
March 7, 2006

The Senate Public Safety and Homeland Security Committee met on Tuesday, March 7, 2006 in the CLOB 307. Senator Kemp, the Chairman, called the meeting to order at 1:38 p.m.

Present were Senators Kemp 46th, Mullis 53rd, Chapman 3rd, Butler 55th, Carter 13th, Seay 34th, and Tolleson 20th.

SB 637 (Sen. Smith, 52nd) Georgia Driver's Education commission; change membership; distribution of fines/forfeitures; definition

Senator Smith said that last year "Joshua's Law" was passed out late in the session and dealt with teen driving. The Governor did sign the bill but he did have some concerns and asked that those concerns be addressed this year.

He said this bill addresses those concerns.

Senator Mullis made a motion that **SB 637 do pass**. Senator Carter seconded the motion and SB 637 passed unanimously.

Senator Miles arrived at 1:50 p.m.

SB 554 (Sen. Powell, 23rd) Governor Emergency Powers; suspend/limit sale; alcoholic beverages, explosives, combustibles; repeal

It strikes the code section 38-3-51 and takes emergency confiscation powers away when transporting firearms. The Katrina Storm prompted the legislation because people who were fleeing to safety had their own personal firearms taken away at road checks.

George Hill with the Gun Owners Association supports this bill.

Alice Johnson, Georgians for Gun Safety opposed this bill.

Senator Chapman made a motion that **SB 554 do pass**. Senator Tolleson seconded the motion and SB 554 passed with a vote of 5 – 3 with Senators Butler, Miles and Seay voting nay.

SB 491 (Sen. Schaefer, 50th) Traffic Offenses; persons driving under the influence; fifth or subsequent offense; guilty of a felony

Senator Schaefer explained that this bill provides punishments for driving convictions.

Senator Mullis made a motion that **SB 491 do pass**. Senator Chapman seconded the motion and SB 491 passed unanimously.

SB 619 (Sen. Tolleson, 20th) License Plates, Special; persons with brain-related disorders/disabilities; provide for issuance, renewal, fees

Senator Tolleson presented his bill and Senator Miles made a motion that **SB 619 do pass**. Senator Carter seconded the motion and SB 619 passed unanimously.

Senator Carter left and returned at 2:05 p.m.

SB 223 (Sen. Harbison, 15th) Substitute-- Building Mapping Information Sys.; development/implementation; rules/reg.

Senator Harbison introduced Jim Finnell from Washington State, who designed this technology, to speak to the bill. He said this system provides First Responders with detailed information in public buildings.

The substitute authorizes GEMA to implement the system and to seek grants rather than have it mandated. It is strictly a volunteer program.

Buzz Weiss from GEMA spoke in favor of the legislation.

After some discussion, Senator Mullis made a motion that **SB 223 do pass by substitute**. Senator Seay seconded the motion and SB 223 passed unanimously.

SB 642 (Sen. Cagle, 49th) Homeland Security, Office of; Immigration enforcement director; establish position; appointment/duties

Senator Cagle could not attend the meeting and Senator Kemp presented his bill.

It creates an office of Immigration Enforcement Director within the office of the Governor. The Governor will appoint this person. This Director oversees employer compliance with new state immigration laws.

Senator Kemp said that he would like to present an amendment to the bill. He said on page 2 line 9; change the date from January to December. He said this would be necessary to make sure that any concerns would be addressed before session starts each year.

Senator Mullis made a motion to adopt the amendment for SB 642. Senator Tolleson seconded the motion and the amendment passed unanimously.

Senator Mullis made a motion that [SB 642](#) **do pass as amended**. Senator Carter seconded the motion and SB 642 passed with a vote of 4 – 3 with Senators Butler, Miles and Seay voting nay.

Senator Kemp said the Committee would not hear [SB 634](#).

Meeting adjourned at 2:30 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
March 15, 2006

The Senate Public Safety and Homeland Security Committee met on Wednesday, March 15, 2006 in the CLOB 307. Senator Kemp, the Chairman, called the meeting to order at 4:35 p.m.

Present were Senators: Kemp 46th, Chapman 3rd, Carter 13th, Miles 43rd, and Seay 34th.

HB 1253 (Rep. Rice, 51st) Substitute -- Drivers' licenses; certain provisions; clarify

Representative Rice introduced Les Hammond with the Department of Motor Vehicles, to explain the substitute to the bill.

Senator Mullis arrived at 4:40 p.m.

Ed Crowe with Georgia Motor Trucking Association, spoke in favor of the bill.

Senator Butler arrived at 4:50 p.m.

Jennifer Almons, legal council to the Department of Motor Vehicles, answered some questions for the Committee.

Senator Miles made a motion that **HB 1253 pass by substitute**. Senator Seay seconded the motion and the bill passed unanimously.

HB 1019 (Rep. Day 163rd) "Taser Certification Act"; create

Representative Day presented his bill and said that Peace Officers Training Council would like an amendment that would establish some technical language about establishing a standard for use of force. He said it is not appropriate for one state agency to tell another agency what their use of force guidelines should be.

The training will cost about \$259,000 for a 2-day training class and they got that down from \$750,000. They have to be trained and certified in order to use the taser device. Officers will have to carry a card with them showing that they have been certified.

After some discussion, Senator Chapman made a motion that **HB 1019 do pass by substitute**. Senator Mullis seconded the motion and HB 1019 passed unanimously.

HB 363 (Rep. Murphy, 23rd) Motor vehicles; state vehicles; license plates; requirements

Representative Murphy said that this is a cost saving bill. It allows governments and counties to forgo renewing the license plates every five years. They can keep the license plate for the life of the vehicle.

Diane Hutchins, Executive Director of Governmental Affairs, Fulton County, spoke in favor of this bill and asked for a “do pass”. She said that Fulton County issues more government license tags than any county in Georgia.

Senator Chapman made a motion that **HB 363 do pass**. Senator Seay seconded the motion and HB 363 passed unanimously.

HB 1217 (Rep. Murphy, 23rd) Disabled persons; parking permits; provide

Representative Murphy said this legislation is from the Department of Revenue. He said it deals with the decals for disabled persons and it clears up some department language.

Bobby Lenihan, from the Department of Revenue, said it now allows the county tag offices to distribute the decals.

Senator Butler made a motion that **HB 1217 do pass**. Senator Seay seconded the motion and HB 1217 passed unanimously.

Meeting adjourned at 5:30 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
March 20, 2006

The Senate Public Safety and Homeland Security Committee met on Monday, March 20, 2006 in the CLOB 307. Senator Mullis the Vice Chairman, called the meeting to order at 4:40 p.m. Senator Kemp was presenting a bill in another committee.

Present were Senators Mullis 53rd, Chapman 3rd, Butler 55th, Seay 34th and Tolleson 20th.

HB 710 (Rep. Jenkins, 8th) Special license plates; identifying persons with diabetes

Representative Rice presented the bill for Representative Jenkins. He said that this bill creates 3 different specialty tags: diabetes, veterans and Georgia realtors.

Senator Seay made a motion that **HB 710 do pass**. Senator Tolleson seconded the motion and HB 710 passed unanimously.

HB 1006 (Rep. Ashe, 56th)—Prestige license plates; Breast Cancer; distribution of renewal fees

Representative Rice also presented this bill for Representative Ashe.

He said that this legislation clarified current law by providing that the funds received from the renewal of the Breast Cancer license plate will be deposited in the indigent Care Trust fund.

Linda Lowe with the Georgia Breast Cancer Association spoke in favor of the bill.

Senator Seay made a motion that **HB 1006 do pass**. Senator Tolleson seconded the motion and HB 1006 passed unanimously.

HB 276 (Rep. Rice, 51st)—Motor vehicles; licensing of ignition interlock device providers

Representative Rice explained that this legislation would provide some much-needed regulation for these interlock device providers.

Senator Tolleson made a motion that **HB 276 do pass**. Senator Butler seconded the motion and HB 276 passed unanimously.

HB 1053 (Rep. Mills, 25th)—Prestige license plates; "In God We Trust"; provisions

Senator Kemp arrived at 4:50 p.m.

Representative Rice presented this bill for Representative Mills and offered a substitute.

This legislation consolidates and streamlines the process for establishing new license plates that honor, commemorate, or promote specific causes or organizations. It creates 24 new special license plates.

Maggie Garrett from the ACLU spoke against the “Choose Life” tag.

Senator Kemp said that he would like to offer a change that on Page 10, #2 he wants to strike “for the Georgia Center for the Book” and replace with “promoting public libraries in Georgia”.

Also, on Line 11, after “book”, add “and literary programs”.

Senator Mullis made a motion to amend the bill as specified. Senator Seay seconded the motion and the amendment passed.

Senator Butler and Senator Seay presented an amendment to the committee regarding a special license plate for supporting “Pro-Family Pro-Choice” and the funds raised would go to Planned Parenthood of Georgia.

Senator Seay made a motion to accept the amendment. Senator Butler seconded the motion. The motion failed with a vote of 3 – 2 with Senators Chapman, Mullis and Tolleson voting nay.

Senator Mullis made a motion that **HB 1053 do pass by substitute**. Senator Chapman seconded the motion and HB 1053 passed unanimously.

HR 1564 (Dollar 45th)—Special license plates; dedicate revenue; provisions – CA

Senator Rice presented the bill for Representative Dollar.

Senator Chapman made a motion that **HR 1564 do pass**. Senator Mullis seconded the motion and HR 1564 passed unanimously.

HB 1236 (Rep. Wilkinson, 52nd)—Motor vehicles; registration; place of return; amend

Representative Rice presented the bill for Representative Wilkinson.

Senator Seay made a motion that [**HB 1236**](#) **do pass**. Senator Mullis seconded the motion and HB 1236 passed unanimously.

[**HB 1216**](#) (Rep. Freeman, 140th)—**All-terrain vehicles; law enforcement agencies; allow use**

Senator Carter arrived at 5:30 p.m.

Representative Freeman said that this legislation allows patrol officers to use ATVs for patrol vehicles on city and county roads.

Senator Tolleson made a motion that [**HB 1216**](#) **do pass**. Senator Mullis seconded the motion and HB 1216 passed unanimously.

[**HB 513**](#) (Rep. Scott, 153rd)—**Drivers' licenses; certain records; furnish to Georgia Bureau of Investigation**

Representative Scott could not attend the meeting, and Frank Rotundo the Executive Director of the Police Chiefs Association, presented the bill.

He said that this legislation allows patrol officers to access driving history and criminal history from the terminal in the patrol car.

Senator Mullis made a motion that [**HB 513**](#) **do pass**. Senator Butler seconded the motion and HB 513 passed unanimously.

[**SR 1170**](#) (Sen. Kemp, 46th)—**National Bio and Agro-Defense Facility; urge Governor to continue pursuit; expressing Senate's support of his efforts**

Senator Kemp said that this legislation urges the Governor to continue his pursuit of the National Bio and Agro-Defense Facility in Georgia.

Senator Chapman left the meeting at 5:30 p.m.

Senator Mullis made a motion that [**SR 1170**](#) **do pass**. Senator Seay seconded the motion and SR 1170 passed unanimously.

[**HB 959**](#) Rep. Maddox, 172nd)—**Mallory's Act; permanently disabled persons; parking permits; amend provisions**

This legislation allows persons with permanent disabilities to have an automatic renewal of their disabled parking permits until their eighteenth birthday.

After discussion, Senator Seay made a motion that [HB 959](#) **do pass**. Senator Mullis seconded the motion and HB 959 passed unanimously.

Meeting adjourned at 5:40 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary

Minutes of the Public Safety and Homeland Security Committee
March 23, 2006

The Senate Public Safety and Homeland Security Committee met on Thursday, March 23, 2006 in the CLOB 307. Senator Kemp, the Chairman, called the meeting at order at 5:55 p.m.

Present were Senators Kemp 46th, Mullis 53rd, Chapman 3rd, Carter 13th and Miles 43rd.

HB 1392 (Rep. Hembree, 67th) Drivers; right of way violation; collision; provide penalties

Senator Butler arrived at 5:57 p.m.

Representative Hembree said that this legislation increases the penalties for right-of-way violations.

Jim Collins with the Cattleman's Association and Ed Andres from ABATE, spoke in favor of the bill.

Senator Carter left at 6:04 p.m.

After some discussion, Senator Kemp asked for a motion to make some changes in the legislation. He said on page 2 line 19, change "an" to "a" and add "serious" and on page 26 after "," add "serious" and after "shall" add "include but not limited too".

Senator Miles made a motion that **HB 1392 do pass by substitute**. Senator Mullis seconded the motion and HB 1392 passed unanimously.

HB 1209 (Rep. Chambers, 81st) Dept. of Public Safety; motorcycle enforcement program; provisions for payment

Representative Chambers aid that this legislation is a pilot program that will help relieve traffic congestion around the perimeter.

Senator Seay arrived at 6:10 p.m.

Colonel Hitchins with the Department of Public Safety spoke in favor of the bill.

Senator Mullis made a motion that **HB 1209 do pass**. Senator Butler seconded the motion and HB 1209 passed unanimously.

Senator Mullis left at 6:14 p.m.

HB 728 (Rep. Franklin, 43rd) Substitute "Mattie's Call Act"; enact

Representative Franklin said that the legislation allows for a statewide alert system for missing people with disabilities.

Senator Carter returned at 6:15 p.m.

Alice Hoffman with the Georgia Chapter of the Alzheimer's Association and Pat Chivers with the Georgia Association of Broadcasters, spoke in favor of the bill.

Tolleson arrived at 6:21 p.m.

Senator Miles made a motion that **HB 728 do pass by substitute**. Senator Seay seconded the motion and HB 728 passed unanimously.

HB 1193 (Rep. Knight, 126th) Vehicles; false or secret compartments; prohibit owning or operating

Representative Knight introduced Sgt. Mark Mitchell with the Department of Public Safety, to give a presentation.

Senator Carter made a motion that **HB 1193 do pass**. Senator Butler seconded the motion and HB 1193 passed unanimously.

HB 973 (Rep. Willard, 49th) Speed detection device; law enforcement officers; change provisions

Representative Willard presented his bill to the Committee.

Senator Tolleson made a motion that **HB 973 do pass**. Senator Butler seconded the motion and HB 973 passed unanimously.

HB 1497 (Rep. Knight, 126th) Vicious dogs; requirements for owners; provide

Representative Knight said that the bill addresses the problem of vicious dogs and it gives animal control the ability to hold owners liable.

Senator Butler made a motion that [**HB 1497**](#) **do pass**. Senator Tolleson seconded the motion and HB 1497 passed unanimously.

Meeting adjourned at 6:40 p.m.

Respectfully submitted.

/s/ Senator Jeff Chapman
Secretary

/s/ Betty Conner
Recording Secretary